IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVN.APPLICATION NO. 391 OF 2003

Pankaj Shriram Momekar ... Applicant

versus

Ajitkumar Vasant Jaygude & anr. ... Respondents

...

Mr. Uday Warunjikar, for the Applicant.

Mr. V.B. Konde Deshmukh, A.P.P., for the State.

Mr. A.R. Kapadnis, for Respondent No.1.

...

CORAM : A.M.KHANWILKAR,J.

13th January 2005

P.C.:

. Counsel for the Respondent has raised preliminary objection regarding the maintainability of this revision. It is submitted that the Applicant ought to have questioned the correctness of the impugned decision by way of appeal against acquittal/leave to appeal. It is further submitted that the present revision application has been intentionally filed as limitation to file appeal

against the acquittal was already over. Without going into this issue, the petition is dismissed with liberty to the Applicant to take recourse to remedy as may be permissible by law. The proposed appeal will be considered on its own merits including on the question of delay.

(A.M.KHANWILKAR,J.)